

REMARKS**Formal Matters**

Claims 1-11 and 13-17 are currently pending. Claims 1, 2, 4 and 6-10 have been amended. New claims 13-17 are presented for consideration. Claim 12 has been cancelled without prejudice to its later pursuit. In addition, paragraphs 047 and 064 have been amended to further describe the structure shown in the referenced figures. No new matter is believed to be added. The purpose of the amendment is to provide explicit antecedent basis for claiming the triple-loop wrap patterns shown and otherwise described. Amendment and cancellation of certain claims is not to be construed as a dedication to the public of any of the subject matter of the claims as previously presented. No new matter has been added.

Drawing Objection under 37 CFR §1.83(a)

Fig. 6C has been amended per the Examiner's comments. A replacement sheet correcting the noted error is attached thereto. Accordingly, withdrawal of the objection is respectfully requested.

Objection to Claims 2, 4 and 7 and the Specification at page 9, line 3 (paragraph 017)

The Specification and Claims have been revised per the Examiner's comments. Applicant appreciates the comments, and respectfully requests withdrawal of the objections.

§102(b) rejection of claims 1-4 and 6-11

As amended, the claims more clearly describe the structural relationship of elements. The portions described connect to one another (in each of the purely-structural and fluidic embodiments) such that their action is dependently only on ventricular motion. It is respectfully asserted that none of Parravincini, Arpesella or Chiu disclose structure having a relationship of elements capable of such function.

Moreover, it is noted that a number of the dependent claims (claims 8-10 and 11 have been amended to describe device configurations (as originally provided, or as they are adapted to assume) that distinguish over the cited references.

For all of these reasons the rejected claims are believed to be in condition for allowance – which action is respectfully requested.

§112 Objection to claims 5 and 12 and 102(b) rejections of claim 5

Claim 12 has been cancelled without prejudice to its later pursuit, thereby removing any issued it might present.

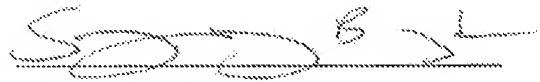
However, it is respectfully asserted that claim 5 is definite and patentable over the cited references as it stands. Claim 5 includes two elements whose interpretation falls under §112¶6 (specifically, the “first means” and “second means” for transferring force). Once interpreted as specifically required under relevant patent law as set forth in MPEP §2181, it is believed that the Examiner will agree that the claim is both definite and patentable over the art of record. Accordingly, claim 5 is believed to be in condition for allowance – which action is respectfully requested.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejections and pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the appropriate fee and/or petition is not filed herewith and the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with this filing to Deposit Account No. 50-3973 referencing Attorney Docket No. BYNNNZ00300. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,



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